

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

AMY K. GRAHAM

Plaintiff

-vs-

COMMISSIONER OF SOCIAL
SECURITY

Defendant

: CASE NO. 5:10 CV 1999

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ORDER ADOPTING REPORT AND
RECOMMENDATION

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Amy K. Graham ("Ms. Graham") challenges the Commissioner of Social Security's final decision denying her claim for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(i). (Doc.1). This case was automatically referred to United States Magistrate Judge Nancy A. Vecchiarelli for a Report and Recommendation ("R&R") pursuant to Local Civil Rule 72.2(b). In her R&R, Magistrate Judge Vecchiarelli finds that the Plaintiff Ms. Graham has failed to prosecute her case. Plaintiff has failed to file her Brief on the Merits in a timely fashion, and upon the Court's Order. Plaintiff's Brief on the Merits is overdue and Plaintiff has neither moved for an extension of time, nor shown good cause for her tardiness. Accordingly, she recommends that this case be dismissed without prejudice.

No party has objected to the Magistrate Judge's R&R. (Doc. 12). Therefore, it must be assumed the parties are satisfied with the Report's conclusion. Any further review by this Court would be a duplicative and inefficient use of the Court's limited

resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's R&R is adopted. The decision that this case be dismissed without prejudice is consistent with the findings of the, hereby, adopted Report and Recommendation.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 26 January 2011